

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Todd R. Newcome**  
**Lori A. Newcome**  
**aka Lori A. Popp**  
Debtor(s)

Bankruptcy Case No.: 16-10776-TPA  
Per October 25, 2016 Proceeding  
Chapter: 13  
Docket No.: 24 - 22  
Concil. Conf.: March 21, 2017 at 11:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 18, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 21, 2017 at 11:30 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Americredit (Claim No. 3) as a long term debt .
- ☒ H. Additional Terms: 1) Pending final confirmation, Dan and Kelly Reitz shall be paid per Plan, but their objection to confirmation is preserved and continued to final confirmation.  
2) Sterling (Claim No. 1&2) shall not be paid due to surrender of collateral.  
3) Part 10 of the Plan is stricken as it is paid

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: October 25, 2016

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Todd R. Newcome  
 Lori A. Newcome  
 Debtors

Case No. 16-10776-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: vson  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 40

Date Rcvd: Oct 25, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 27, 2016.

db/jdb +Todd R. Newcome, Lori A. Newcome, 216 Dinsmore Avenue, Punxsutawney, PA 15767-2306  
 cr +Daniel Reitz, 45 Calvary Lane, Punxsutawney, PA 15767-7932  
 cr +Kelly Reitz, 45 Calvary Lane, Punxsutawney, PA 15767-7932  
 14292528 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
 Arlington, TX 76096-3853  
 14274155 #+Best Buy Credit Services, PO Box 183195, Columbus, OH 43218-3195  
 14274162 +CRW Home Center, Inc., 313 Martha Street, Punxsutawney, PA 15767-1821  
 14274156 Capital One, PO Box 71083, Charlotte, NC 28272-1083  
 14294828 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 14274157 +Chase Card Services-Disney, PO Box 1423, Charlotte, NC 28201-1423  
 14274158 +Citi Cards/Bon Ton, PO Box 6241, Sioux Falls, SD 57117-6241  
 14274159 +Comenity - Gander Mtn, PO Box 659569, San Antonio, TX 78265-9569  
 14274160 +Comenity- Peebles, PO Box 659465, San Antonio, TX 78265-9465  
 14274164 +DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell Preferred Account, Payment Processing Center, PO Box 6403,  
 Carol Stream, IL 60197)  
 14274163 +Dan & Kelly Reitz, 45 Calvary Lane, Punxsutawney, PA 15767-7932  
 14274165 +GM Financial, PO Box 183834, Arlington, TX 76096-3834  
 14274166 +Indiana Regional Medical Center, PO Box 788, Indiana, PA 15701-0788  
 14274168 +KIA Motor Finance, PO Box 20815, Fountain Valley, CA 92728-0815  
 14274170 +Liberty Mutual Group, 7000 Stonewood Drive Suite 100, Wexford, PA 15090-7376  
 14274172 +Northwest Consumer Discount Company, 107 East Mahoning Street, PO Box 456,  
 Punxsutawney, PA 15767-0456  
 14274173 +OneMain Financial, PO Box 9001122, Louisville, KY 40290-1122  
 14274174 +Penn Highlands DuBois, PO Box 447, Du Bois, PA 15801-0447  
 14274175 +Peoples Gas, PO Box 747105, Pittsburgh, PA 15274-7105  
 14274176 +Plain Green Loans, PO Box 42560, Philadelphia, PA 19101-2560  
 14274177 +Punxsutawney Area Hospital, 81 Hillcrest Drive, Punxsutawney, PA 15767-2616  
 14274178 +S&T Bank, PO Box 190, Indiana, PA 15701-0190  
 14277250 Sterling Jewelers Inc., c/o Five Lakes Agency, Inc., P.O. Box 80730,  
 Rochester, MI 48308-0730  
 14274180 +Susan L. Mitchell, 301 E. Mahoning Street, Suite 3, Punxsutawney, PA 15767-2142  
 14274182 +The SOS Group, Collection Agency, PO Box 16211, Cleveland, OH 44116-0211

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Oct 26 2016 01:54:32  
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 14274161 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Oct 26 2016 01:50:49  
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679  
 14274167 +E-mail/Text: ebmasterling@weltman.com Oct 26 2016 01:49:32 Kay Jewelers, PO Box 740425,  
 Cincinnati, OH 45274-0425  
 14274169 +E-mail/Text: bnckohlsnotices@becket-lee.com Oct 26 2016 01:49:21 Kohls/Capital One,  
 PO Box 3115, Milwaukee, WI 53201-3115  
 14274171 +E-mail/PDF: gecsedirecoverycorp.com Oct 26 2016 01:54:52 Lowe's/Synchrony Bank,  
 PO Box 960010, Orlando, FL 32896-0010  
 14305245 E-mail/PDF: cbp@onemainfinancial.com Oct 26 2016 02:40:33 OneMain Financial,  
 P.O. Box 3251, Evansville, IN. 47731-3251  
 14301638 E-mail/Text: bnc-quantum@quantum3group.com Oct 26 2016 01:49:37  
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
 14278267 E-mail/PDF: rmscedirecoverycorp.com Oct 26 2016 01:54:58  
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 14274179 E-mail/PDF: cbp@onemainfinancial.com Oct 26 2016 02:40:33 Springleaf, PO Box 742536,  
 Cincinnati, OH 45274  
 14282696 +E-mail/Text: hochheiser@buckleyking.com Oct 26 2016 01:49:12  
 Sterling Jewelers, Inc. dba Kay Jewelers, c/o Buckley King LPA,  
 600 Superior Avenue East, Suite 1400, Cleveland, Ohio 44114-2693  
 14274181 +E-mail/PDF: gecsedirecoverycorp.com Oct 26 2016 01:54:52 Synchrony Bank-LensCrafters,  
 PO Box 960061, Orlando, FL 32896-0061  
 14274183 +E-mail/PDF: gecsedirecoverycorp.com Oct 26 2016 01:54:52 Walmart Mastercard/Synco,  
 PO Box 960024, Orlando, FL 32896-0024

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr NATIONSTAR MORTGAGE, LLC

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

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Page 2 of 2  
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\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

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Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 27, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 25, 2016 at the address(es) listed below:

Brian C. Thompson on behalf of Joint Debtor Lori A. Newcome bthompson@ThompsonAttorney.com,  
blemon@thompsonattorney.com;LaurenKelly@thompsonattorney.com;jwrzosek@thompsonattorney.com;mgille  
spie@thompsonattorney.com;azema@ecf.inforuptcy.com;noreply@thompsonattorney.com;mhodge@thompsonat  
torney.com  
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blemon@thompsonattorney.com;LaurenKelly@thompsonattorney.com;jwrzosek@thompsonattorney.com;mgille  
spie@thompsonattorney.com;azema@ecf.inforuptcy.com;noreply@thompsonattorney.com;mhodge@thompsonat  
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donna@yochim.com;rose227@hotmail.com  
Gary V. Skiba on behalf of Creditor Daniel Reitz gskiba@yochim.com,  
donna@yochim.com;rose227@hotmail.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6